

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

JUAN CARLOS RODRIGUEZ,
Petitioner

v.

COURT OF COMMON PLEAS OF
LACKAWANNA COUNTY, *et al.*,
Respondents

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CIVIL NO. 1:12-CV-830

O R D E R

AND NOW, this 11th day of June, 2012, upon consideration of the report and recommendation of the magistrate judge (Doc. 7), filed May 10, 2012, to which no objections were filed, and upon independent review of the record, it is ordered that:

1. The magistrate judge's report (Doc. 7) is adopted.
2. The Petition for Writ of Habeas Corpus (Doc. 1) is DENIED, without prejudice to Petitioner's ability to file a similar petition after he has exhausted state remedies.
3. The Clerk of Court shall close this file.
4. A certificate of appealability is denied.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge